

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office action dated September 20, 2007 are respectfully requested in view of the amendments and arguments presented herein. This Amendment is accompanied by a request for a one month extension of time; this Amendment is thus timely filed.

I. Status of the Claims

Claims 1-77 and 94 and 95 are canceled.

Claims 78-93, and 96-99 are pending.

II. Amendments to the Claims

The claims have been amended in accordance with the Examiner's remarks.

Claim 78 has been amended to insert a hyphen in the phrase "end-capped PEG-OH" for consistency with other usages of the phrase "end-capped" within the claims.

Claim 79 has been amended to more clearly conform to the language of Claim 78 from which the subject claim depends, and to provide proper antecedent basis for certain terms. Claim 79 has also been amended to more clearly reflect the relationship between terms recited in the parent claim and in the subject dependent claim.

Claims 86 has been amended in a fashion similar to Claim 79.

Claim 88 has been amended to conform to the language of newly amended claim 86 from which this claim depends.

Claim 89 has been amended to more clearly recite that the active ester activating group corresponds to the electrophilic activating group of claim 88.

No new matter has been added to the claims by virtue of the amendments presented herein.

III. Rejections Under 35 U.S.C. §112, Second Paragraph

The Examiner has rejected claims 79, 86, and 88 under 35 U.S.C. §112, second paragraph. It is the Examiner's position that the rejected claims are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Applicant respectfully requests withdrawal of this rejection in view of the amendments to the claims and the remarks which follow.

It is the Examiner's position that claims 79 and 86 are unclear by not having clear antecedent basis for "said end-capping group". Further, it is the Examiner's position that it is unclear as to whether "methoxy-PEG-OH and "activated methoxy-PEG" are one of the impurities of claim 78, or are in addition to the impurities of claim 78. Moreover, the Examiner has suggested that the phrase "end capped PEG" be changed to include a hyphen between "end" and "capped" for consistency.

In view of the Examiner's remarks, and to expedite allowance of the pending claims, the subject claims have been amended to provide proper antecedent basis for the recited terms, and to more clearly reflect the interrelationship between compounds recited in the claims. For example, claims 79 and 86 have been amended to more clearly indicate that end-capped PEG-OH is methoxy-PEG-OH, and that activated end-capped PEG is activated methoxy-PEG.

Regarding claim 88, it is the Examiner's position that claim 88 is unclear due to the recitation of "said activated end-capped PEG" rather than "activated methoxy-PEG". The claim, as amended, now recites "activated methoxy-PEG", consistent with the Examiner's recommendation.

In view of these amendments, it is submitted that the Examiner's rejection of claims 79, 86, and 88 under 35 U.S.C. §112, second paragraph has been overcome.


IV. Conclusion

In view of the foregoing, the Applicant submits that all claims pending in the application meet all requirements for patentability. Thus, it is submitted that all claims are now in condition for allowance. The prompt mailing of a Notice of Allowance is therefore earnestly solicited.

If a telephone conference would expedite the prosecution of the subject application, the Examiner is requested to call the undersigned at (650) 838-4406.

Respectfully submitted,

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